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DATE FILED: 12/16/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SERGIO TORRES, individually and on behalf
of others similarly situated,

Plaintiff,

-against-

GOLDEN HOME FURNITURE INC. d/b/a
Golden Home Furniture; 7 STAR HOME
FURNITURE INC. d/b/a 7 Star Furniture;
MOHAMMAD ALDAOU; FRANK DOE;
and DAVID ALDAOU a/k/a Akman,

Defendants.

1:20-cv-04789-MKV

ORDER

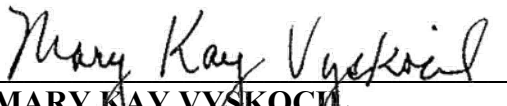
MARY KAY VYSKOCIL, United States District Judge:

On November 4, 2021, the Court granted Plaintiff leave to amend his complaint and directed Plaintiff to file his amended complaint on or before November 19, 2021. [ECF No. 51]. On December 6, 2021, the Court again ordered Plaintiff to file his amended complaint on or before December 13, 2021. [ECF No. 64]. To date, Plaintiff has not filed his amended complaint or taken any other action to prosecute the case.

Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued for failure to prosecute without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by January 17, 2022. If no such application is made by that date, today's dismissal of the action is with prejudice. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

SO ORDERED.

Date: December 16, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge